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FISCAL IMPACT STATEMENT

LS 7178

BILL NUMBER: SB 285

NOTE PREPARED: Jan 31, 2005

BILL AMENDED: Jan 31, 2005

SUBJECT: Bullying.

FIRST AUTHOR: Sen. Wyss

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill defines "bullying", and requires a school corporation to adopt rules to prohibit bullying. The bill allows the use of grants from the safe schools fund to provide education and training to school personnel concerning bullying, and requires the inclusion of anti-bullying training in school safety specialist education. The bill requires each school to establish a safe school committee.

Effective Date: July 1, 2005.

Explanation of State Expenditures: *Department of Education:* Under the bill, the Department of Education would be required to provide materials to assist a school's safe school committee for the development of a plan to address unsafe conditions, crime prevention, school violence, bullying, including the professional development, and methods for community participation. The provision could require the Department to distribute the education materials. Depending on the medium type of the materials (e.g., literature, video, or books), the Department would need to reallocate staff time and may require an additional consultant to oversee development of the materials. These expenses could be paid from the ISSF as allowed under this bill.

Indiana Safe Schools Fund: Under the bill, the ISSF can be used for educational outreach and training for school personnel regarding the identification, prevention, and intervention of bullying as defined by the bill. Under current law, the ISSF may be used to promote school safety, combat truancy, provide matching grants for schools for school safe haven programs, and provide grants for school safety and safety plans. The Indiana Criminal Justice Institute (ICJI) reports that funding for the Indiana School Safety Specialist Academy is already used for some training on the recognition and prevention of bullying. The bill could increase the number of applications for school safety grants from school corporations in order to cover expenditures for bully

prevention and training in local schools.

Background on Indiana Safe School Fund: Under current law, the ISSF receives funding from a variety of sources. The circuit court clerk deposits revenue from various sources into the state User Fee Fund (UFF). The Treasurer of State semiannually distributes \$1.288 M of the balance of the UFF to several entities. Under IC 33-37-9-4, 15.53% of the semiannual distribution is deposited into the ISSF, or approximately \$200,000 semiannually. The ISSF may also receive funding from any other public or private source.

P.L. 224-2003 appropriated the following to the ISSF:

Fund	FY 2005 Appropriation
Indiana Safe Schools (General Fund)	\$3,749,500
Indiana Safe Schools Fund under (IC 5-2-10.1-2) Augmentation is allowed	\$400,500
Total	\$4,150,000

In FY 2004, the ISSF had total expenditures of \$3.4 M. Of this amount, \$750,000 were transferred to the Department of Education for the Indiana School Safety Specialist Academy. The Academy trains school safety specialists on a variety of safety issues including bullying. About \$3.2 M in grants were disbursed in FY 2004 to school corporations for school safety and safety plans. Grants are made to school corporations based on a ratio of \$3 per ADM (Average Daily Membership) of the corporation. Grant money that remains after the disbursement is prorated equally to those school corporations that have applied for grants.

Explanation of State Revenues:

Explanation of Local Expenditures: The provisions of this bill should present a minimal impact to local expenditures, given that the Department of Education would supply materials for prevention of bullying and the bill allows the use of funds from the Indiana Safe School Fund to train school personnel. School corporations would be required to establish a safe school committee, which may be a subcommittee of existing school improvement and achievement committees.

School corporations would be required to adopt discipline rules to prohibit bullying. Adoption of the proposed rules on bullying could require additional school corporation staff time to investigate reported incidents of bullying. Under the bill, any rules adopted by a governing body of a school corporation may not be construed to give rise to a cause of action against a person or school corporation based on an allegation of noncompliance with this provision.

Explanation of Local Revenues: See *Explanation of State Expenditures*.

State Agencies Affected: Department of Education; Criminal Justice Institute.

Local Agencies Affected: School corporations.

Information Sources: Jeff Zaring, Indiana Department of Education; Indiana State Budget Agency BUDSTARS, *General Fund Property Tax Replacement Fund Rainy Day Fund Fiscal Year Ending June 30*,

2004 And Summaries; P.L. 224-2003; Auditor of State, Revenue Object Trial Balance, June 30, 2004; DOE SAS and ORACLE DATABASES.

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